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Letter dated 30 January 2003 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

As we have been deprived of the opportunity to speak before the Security Council on 30 January 2003, I am compelled to write to you in order to bring the views of my country on the situation in Abkhazia, Georgia, to the attention of the Council.

In the past decade, mostly failures in the peace process have accounted for bringing to life the truism found in almost all Security Council resolutions — namely, the expression of concern over the lack of progress in political negotiations. That truism is a product of reconciliation of the state of mind with the existing state of affairs. But could all those involved in the process of the conflict settlement acquiesce to the present state of affairs? Could we use the appellation "peace process" in relation to the process in Abkhazia, Georgia, when a key element of it — political negotiations — is virtually missing?

With the paper on distribution of constitutional competencies between Tbilisi and Sokhumi unanimously supported by the Security Council, the negotiations on the status of Abkhazia has literally acquired meaning and value. In fact, the Boden paper has provided a principal framework for the United Nations-led peace process. From the very moment the paper was released, my country has expressed its readiness to engage in any negotiations on the basis of the principles set out in it — territorial integrity of Georgia, wide autonomy for Abkhazia and international guarantees, in particular those for unconditional and dignified return of the internally displaced persons. I would like to reiterate Georgia's unwavering commitment to these principles as they offer, to quote the report of the Secretary-General (S/2003/39) "enough room to explore how the legitimate interest of both sides could be accommodated in a final settlement".

It would seem that we have been given a unique window of opportunity, but again, for some reason it is being kept beyond our reach. In order to shed some light on why this happens, I have to dwell on the challenges posed by the situation in Abkhazia, Georgia, to set them as a benchmark against which the responses of those involved in the peace process are to be measured.

Yearlong efforts of the Special Representative of the Secretary-General backed by the authority of the Security Council have been effectively blocked by the defiance of the Abkhaz side, which appears to fear the Boden paper like a doomsday. In statements made at all levels, its representatives maintain that

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Abkhazia is an independent state, whereas the Georgians rooted out from the region through ethnic cleansing and genocide are "merely aggressors". According to this attitude, even raising the issue of the return of Georgians to their houses in Abkhazia is unthinkable.

As witnessed by recent events in the Gali region, the Abkhaz side enjoys unfettered discretion in carrying out "punitive operations" against the Georgian population in the presence and within the area of responsibility of the peacekeepers from the Commonwealth of Independent States. How long are we prepared to allow this campaign unleashed against the Georgians to go unabated? How long will the international community tolerate when people being reduced to second-class citizens and subjected to harassment and threats to their lives merely because they are Georgians driven by the desire to return to their homes?

It seems that the Abkhaz side has never satisfied its zeal of ethnic cleansing and genocide of Georgians and has now resorted to a policy of deliberately inflicting on the Georgian children conditions of life calculated to bring about the destruction of their identity. Otherwise, one could not offer any reasonable explanation why the Georgian language is totally banned as a means of instruction. It would be very difficult to name any other place in the world where studying in the native language is tantamount to a crime. Neither does this policy conform to the principle of "protection of the interests of multiethnic population of Abkhazia" espoused by the Russian Federation as a facilitator. Or should we accept that it applies to all except Georgians?

All these events could not be detached from their political context, which better than anything else reveals the real driving force behind the separatists' actions. First and foremost, it concerns the issue of associated membership of the Russian Federation that has become a semi-permanent feature of the political vocabulary of the separatist authorities. The new head of self-styled government of Abkhazia, reverently referred to as the "Prime Minister of Abkhazia" in the official statements of the Ministry of Foreign Affairs of the Russian Federation as well as other separatist leaders have declared many times that they will relentlessly pursue the goal of so-called associated membership of the Russian Federation.

What are the responses of the Russian Federation to these challenges? Surprisingly, just contrary to what one should expect from the "facilitator" and "impartial mediator" of the conflict.

As has been stated more than once, the Russian Federation maintains unilaterally imposed non-visa regimes with the separatist regions of Abkhazia and the Tskhinvali region of Georgia against all basic precepts of international law and ethics of inter-State relations.

Russia illegally maintains a military base in Gudauta, Abkhazia, which operates without the consent of Georgia and in contravention of the international commitments undertaken by the Russian Federation during the Istanbul Summit to have it dismantled in 2001. The only explanation given is that the Abkhazs oppose the dismantling of the base and the withdrawal of its military equipment. This logic would dictate that any sizeable group of people could effectively block or seize control of the military, nuclear installations and armaments among them, provided they are as insistent as the Abkhazs.

Russia continues and has even accelerated the granting of citizenship en masse to the population of Abkhazia. Russian passports can now be obtained almost everywhere throughout the territory of Abkhazia. All separatist leaders of Abkhazia, as they frequently state, are citizens of the Russian Federation. It would be overdone mendacity to believe that this unprecedented action purports to give the Abkhazs an opportunity to spend their holidays on the Riviera or in Palm Beach. It pursues this objective to have justification for exerting effective control over Abkhazia under the pretext of protection of the Russian citizens from the "barbaric" Georgians. I assume there is no need to assess the detrimental effect of this action on the process of the conflict settlement.

Moreover, frequent visits of high-level Russian officials aimed at fostering economic relations with the separatists have become a normal pattern of life. If earlier these officials hesitantly called their trips "private", they are now openly speaking about Georgia's disintegration and the incorporation of Abkhazia into Russia. Remarkably, the same views have been openly propagated by ever changing commanders-in-chief of the Russian peacekeeping forces apparently on an assumption that these views best fit into their duties as "impartial" peacekeepers.

On this premise, one might ponder over the reasons for the lasting "love" of the Russian peacekeepers by the Abkhazs while the Georgians feel exactly the opposite. As is known, the slightest mention of the possibility of withdrawal of the Russian peacekeepers drives the Abkhaz authorities into hysteria. I believe the source of this affectionate *l'adultere* lies in the "objective and impartial" performance by the Russian peacekeeping forces of their mandate. As a consequence of this "objectivity and impartiality", since the ceasefire came into force, the death toll of Georgian civilians, many of them returnees, killed in the zone of responsibility of the Russian peacekeeping forces has risen to 2,000. These facts are self-explanatory.

But coming back to economic aspects of the developments in Abkhazia, one has to note Russia's intensified economic and financial activities. The rhetoric about the necessity of investing in Abkhazia is gradually becoming reality: Russian entrepreneurs and entities are engaged in acquisition of land, estates and natural resources. As a last step, the railway between Sochi, Russian Federation, and Sokhumi, Georgia, closed since 1992, was again put into operation, thus flagrantly violating the decision of the Commonwealth of Independent States Heads of States, including Russia, on 19 January 1996. Furthermore, this action was carried out notwithstanding the position of Georgia, about which Russia's political establishment is well informed. It is more difficult to reconcile the action with the cooperative and constructive spirit of the recent meeting between President Shevardnadze and President Putin, where they affirmed the principle — opening of the railway should be synchronized with the return of refugees and internally displaced persons to Abkhazia.

Why does this happen? Has Russia withdrawn from the Commonwealth of Independent States? If not, then why are the documents signed by the former and the principles affirmed by the current President of Russia disavowed by Russia itself? Is the disregard of international commitments and obligations endemic in Russia's behaviour? Or maybe the basic principle of inter-State relations — execution of treaties and agreements in good faith has become obsolete and redundant?

Regrettably, once again I have to draw your attention to the use of double standards — while respect for the territorial integrity of Georgia is being fervently assured in official statements, in reality Russia continues to dismember Georgia by taking away its historical region — Abkhazia. Therefore, no reason to take offence when these actions are qualified as they warrant to be qualified — annexation of part of the territory of a small and friendly neighbouring State. These actions do not in any manner befit Russia's greatness and grace, which we all used to respect.

My country is grateful to the United Nations in leading and advancing peace process in Abkhazia, Georgia. Unlike the Commonwealth of Independent States, which has drowned in its own futility, the United Nations does enjoy high degree of respect and confidence in Georgia. This perception has been reinforced by the tireless efforts of the Special Representative of the Secretary-General, Mrs. Heidi Tagliavini, aimed at reviving the process of conflict settlement.

It was believed in my country that the Security Council was up to its high responsibility in maintaining international peace and security, well capable of effectively exercising its powers for bringing long-awaited peace to Abkhazia. Now there is a risk that these beliefs could be changing.

The framework of the peacekeeping and conflict settlement in Abkhazia, Georgia, regrettably presents justification for doing so. I refer to a relatively new and controversial practice, through which the mandate of the United Nations Observer Mission in Georgia (UNOMIG) is linked with the mandate of the Commonwealth of Independent States peacekeeping forces. It has created a unique situation where the Security Council occasionally exerts pressure upon Georgia to prolong the mandate of the Commonwealth of Independent States peacekeeping forces, to which it once refused to grant the authorization of the United Nations peacekeeping operation. Moreover, the mandate of UNOMIG is almost limited to monitoring the ceasefire agreement, the implementation of which is ensured by the same Commonwealth of Independent States peacekeeping forces.

The operational capabilities of UNOMIG, which are primarily of merely reporting on the events in the zone of conflict, cast doubt on the leading role of the United Nations in the peace process. In this respect, the recent failure of the United Nations representatives to secure agreement of the separatist authorities on the access for Georgian investigators to the United Nations helicopter's crash site is also noteworthy.

Just two weeks ago, the Secretary of State of the United States of America, Mr. Colin Powell, appealed to the Security Council not to shrink away from the responsibility of taking resolute actions. The authority of this appeal is even more undeniable with regard to the conflict settlement in Abkhazia, Georgia. The current status quo is completely unacceptable and untenable and decisive actions are needed to bring the peace process on track. Even more, in the circumstances of continued obstruction of the peace process by the Abkhaz side, it would be appropriate to consider the possibility of resorting to measures under Chapter VII.

It is high time for the Security Council to take genuine lead of the peace process and not allow itself to be led by considerations rooted in residues of the cold-war era division. It goes to launching effective United Nations peacekeeping operations parallel to the meaningful political negotiations on the basis of the paper

on distribution of constitutional competencies and to ensure return of displaced persons to their places of residence in Abkhazia, Georgia.

Only then would it be possible to uphold the principles of sovereignty and territorial integrity and the right of people to live in peace, reaffirm faith in fundamental human rights, in the dignity and worth of human person and not to be exposed to everyday harassment, fear and execution. Above all these are the objectives that brought the United Nations into existence.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative